

IN RE:	PETITION FOR ZONING VARIANCE	*	BEFORE THE
	S/S Monkton Road, 540 ft. W		
	of c/l Hereford Road	*	ZONING COMMISSIONER
	609 Monkton Road		
	7th Election District	*	OF BALTIMORE COUNTY
	3rd Councilmanic District		
	Morris J. McDade, et ux	*	Case No. 97-164-A
	Petitioners		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Administrative Variance for the property located at 609 Monkton Road in northern Baltimore County. The Petition is filed by Morris J. McDade and E. Carol McDade, his wife, property owners. Variance relief is requested from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure with a height of 20 ft. in lieu of the permitted 15 ft. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were Morris McDade, co-Petitioner and John McDade, a relative of the Petitioner and builder. Also present was Patrick O'Keefe, a consultant retained by the Petitioner. There were no other persons present, either in support or opposed to the Petition.

Testimony and evidence presented at the hearing was that the subject site is .62 acres in area, zoned R.C.5. As noted above, the site is located in the rural northern section of Baltimore County, not far from the intersection of Monkton and Hereford Roads. The property has been owned by Mr. and Mrs. McDade for many years and contains an existing single family dwelling in which they reside.

The Petitioners propose constructing a garage in the rear yard of the

ORDER RECEIVED FOR FILING

Date

By

11/14/96
[Signature]

MICROFILMED

property. The garage will be 24 ft. in width, 35 ft. in depth and sufficiently set back from the rear and side property lines. The Petitioner has proposed to construct the garage to a height of 20 ft. in lieu of the 15 ft. allowed. It was explained at the hearing that the Petitioners own a mobile home which they utilize for travel and vacations. Mr. and Mrs. McDade are nearing retirement age and wish to construct the garage in order to house the mobile home vehicle. A photograph of the vehicle was submitted at the hearing. Variance relief is requested in order to construct the garage to a sufficient height to house the vehicle.

It was explained to the Petitioner at the hearing that a grant of relief does not authorize a change of use of the property. The Petitioner acknowledged that the garage would be used strictly as an accessory building to the dwelling. That is, no business/commercial enterprises will take place within the garage and the garage will not be used as a dwelling.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the burden set forth in Section 307 of the BCZR as construed by the case law. Thus, the variance relief which has been requested will be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of November, 1996 that a variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure with a height of 20 ft. in lieu of the permitted 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions:

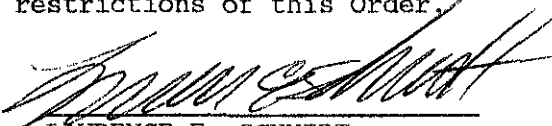
1. The Petitioners are hereby made aware that proceeding at this time is at their own risk

until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. There shall be no commercial or business related activities performed within the structure or on the subject property at any time.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 609 MONKTON RD.

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3; BC2R TO PERMIT AN ACCESSORY STRUCTURE WITH A HEIGHT OF 20FT. IN LIEU OF THE PERMITTED 15 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

MOICRIS J. M'DADE

(Type or Print Name)

Moicris J. M'Dade

Signature

E. CAROL M'DADE

(Type or Print Name)

E. Carol M'Dade

Signature

609 MONKTON Rd. 410-357-8295

Address

Phone No

MONKTON MD 21111

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

PATRICK O'KEEFE

Name

523 PENNY LANE 666-5366

Address

Phone No

Cockeysville, 21030

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL OTHER

REVIEWED BY: gun DATE 10-8-96

164



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

ZONING DESCRIPTION FOR #609 MONKTON ROAD

Election District 7 (address)
Councilmanic District 3

Beginning at a point on the SOUTH side of
(north, south, east or west)

MONKTON ROAD which is 60.0 FEET
(street on which property fronts) (number of feet of right-of-way width)

wide at a distance of 540.0 FEET WEST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street HEREFORD ROAD
(name of street)

which is 50 FEET wide. *Being lot # 6.
(number of feet of right-of-way width)

Block —, Section # — in the subdivision of
RUHL'S DEVELOPMENT as recorded in Baltimore County Plat
(name of subdivision)

Book # 33, Folio # 26, containing

26,840 S.F. OR 0.62 AC.±
(square feet and acres)

164

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BALTIMORE COUNTY, MARYLAND
OFFICE OF THE COMPTROLLER
MISCELLANEOUS CASH RECEIPT

164 No

026368

DATE

ACCOUNT

Boots - 4152

AMOUNT \$

50.00

RECEIVED

FROM: MODER'S Mac Dore

609 Mountain Rd.

FOR:

ONE (one)

50.00

14

MICROFILMED

01A00#0253MICMRC
R# 1012107PM10-1R-94

\$50.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Jem



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 164 Petitioner: MORRIS M^cDADE

Location: #609 MONKTON ROAD, MONKTON, MD, 21111

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MORRIS M^cDADE

ADDRESS: #609 MONKTON ROAD
MONKTON, MARYLAND 21111

PHONE NUMBER: 410-357-8295

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Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acreage square feet

SEWER: ☐ public ☐ private
WATER: ☐ ☐ ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

CERTIFICATE OF POSTING

RE: Case No.: 97-164-A

Petitioner/Developer: MORRIS McDADE ETAL

Date of Hearing/Closing: NOV. 12, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #609 MONKTON ROAD

The sign(s) were posted on OCT. 28, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 11/1/96
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LAKE
(Address)

HUNT VALLEY, MD 21030
(City, State, Zip Code)

666-5366
(Telephone Number)

ZONING NOTICE

Case #: 97-164-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: ROOM 111, OLD COURTHOUSE
TIME & DATE: TUES, NOV 12, 1996 AT 9:00 A.M.
VARIANCE
TO ALLOW AN ACCESSORY STRUCTURE WITH
A HEIGHT OF 20 FEET WHILE THE PERMITTED IS 15 FEET

RETURN MAIL AND POST TO 2100 W. MONKTON ROAD, TOWSON, MD 21204
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMAS
NECESSARY TO COMPLY WITH THE SCHEDULED HEARING DATE. IF
CALL 877-3391 THE DAY BEFORE THE HEARING DATE TO MAKE SURE IT IS
HEARINGS ARE HANDICAPPED ACCESSIBLE

MICROFILMED

164

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: TO PERMIT AN ACCESSORY STRUCTURE
WITH A HEIGHT OF 20 FT. IN LIEU OF THE
PERMITTED 15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
October 24, 1996 Issue - Jeffersonian

Please forward billing to:

Morris McDade
609 Monkton Road
Monkton, MD 21111
357-8295

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-164-A (Item 164)
609 Monkton Road
S/S Monkton Road, 540' W of c/l Hereford Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Morris J. McDade and E. Carol McDade

Variance to allow an accessory structure with a height of 20 feet in lieu of the permitted 15 feet.

HEARING: TUESDAY, NOVEMBER 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-164-A (Item 164)
609 Monkton Road
S/S Monkton Road, 540' W of c/l Hereford Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Morris J. McDade and E. Carol McDade

Variance to allow an accessory structure with a height of 20 feet in lieu of the permitted 15 feet.

HEARING: TUESDAY, NOVEMBER 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Morris J. McDade
Patrick O'Keefe

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN MUST POSTED ON THE PROPERTY BY OCTOBER 28, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



11/12/96



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Morris McDade
609 Monkton Road
Monkton, MD 21111

RE: Item No.: 164
Case No.: 97-164-A
Petitioner: Morris McDade, et ux

Dear Mr. and Mrs. McDade:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 8, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

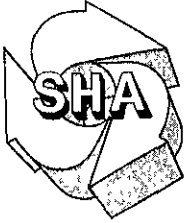
Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



11/15/96



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

10-23-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 164 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: October 18, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning recommends that should the petition(s) be granted, a condition should be placed in the Order restricting the conversion of any accessory structure for dwelling purposes.

Item Nos. 139, 164 and 170

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/21/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 21, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 161, 163, 164, 165, 166, 167,
170, 171, 172, 173 and 174.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 25, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 28, 1996
Item Nos. 161, 164, 165, 166, 171,
172, & 174

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

RECEIVED

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct 21, 96

DATE: 10/23/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	161	166	174
	162	168	
	163	169	
	164	171	
	165	172	

RBS:sp

BRUCE2/DEPRM/TXTSBP

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PETITION PROBLEMS

#161 --- JRF

1. No item number on receipt.
2. Notary section is incomplete.

#164 --- JCM

1. Need printed or typed name of second legal owner.

#165 --- MJK

1. Need someone to sign for first legal owner. Also need authorization for that person to sign.

#167 --- JRA

1. Folder has paperwork for undersized lot -- Petition says nothing about an undersized lot.
2. Notary section is incorrect.

#168 --- JRA

1. Special Exception is on wrong form - This is a Special Hearing form, not Special Exception (see top paragraph of the form).
2. Need authorization for person to sign for legal owner.

#171 --- CAM

1. Need address and telephone number for legal owner.

#174 --- JRF

1. No item number on receipt.

RE: PETITION FOR VARIANCE
609 Monkton Road, S/S Monkton Road,
540' W of c/l Hereford Road
7th Election District, 3rd Councilmanic

Morris and Carol McDade
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-164-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Patrick O'Keefe, 523 Penny Lane, Cockeysville, MD 21030, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

11/13/96
MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

97-164-A }

John McQuinn
Patrick O'Keefe

609 MONKTON RD MONKTON 21111
21305 Ridge Rd Fairland Md. 21053
523 PENNY LA. 21030



MICROFILMED

R.C. 5

N107,000

MONKTON

138

SITE

N106,000

HEREFORD

BIG FALLS

R.C. 5

164

1"=200'
ZONING MAP
NW
27-B

MICROFILMED

(SHEET NW 27-C)

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

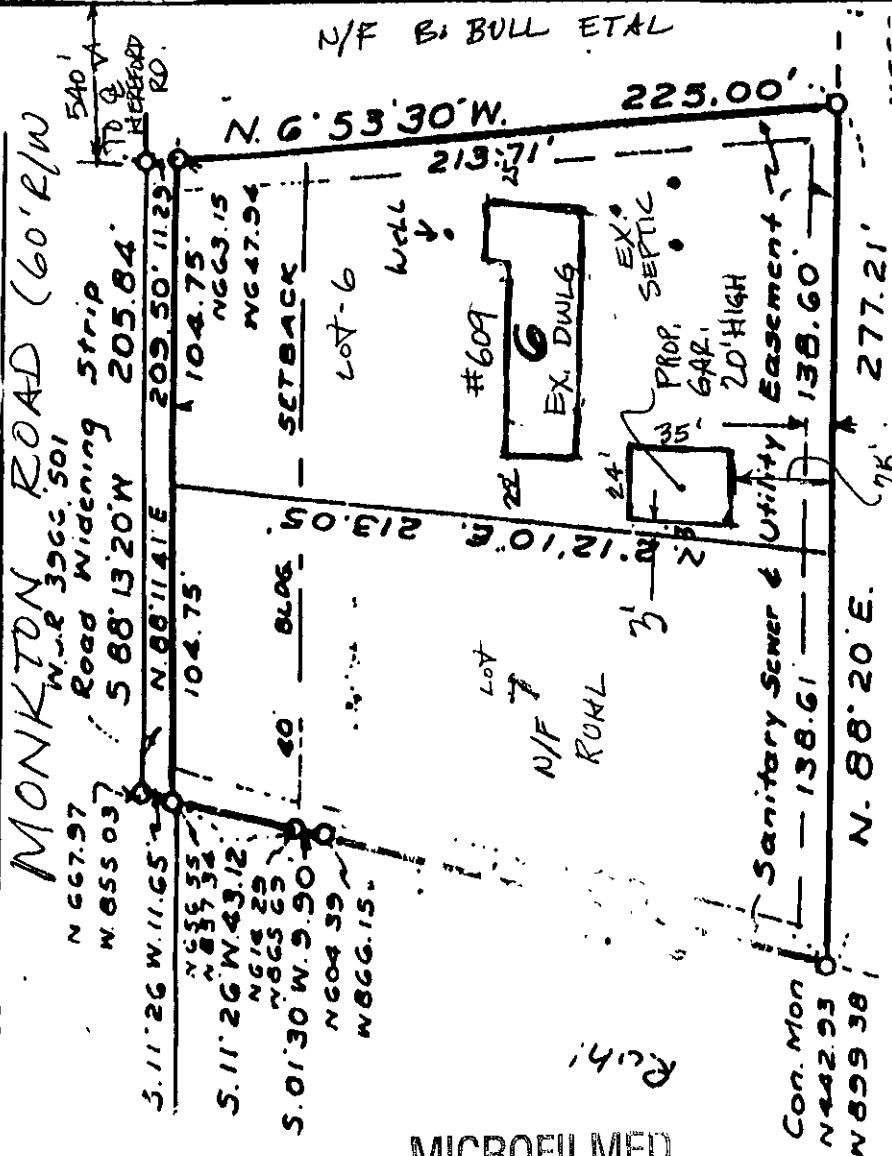
PROPERTY ADDRESS: #609 MONKTON ROAD

Subdivision name: RUALS DEVELOPMENT

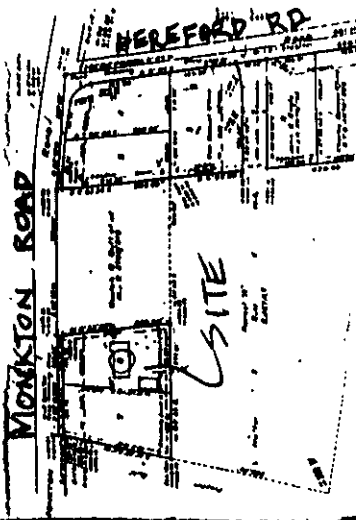
plat book # 33, folio # 26, lot # 6, section #

OWNER: MORRIS J. & CAROL E. McDADE

97-164-A



MICROFILMED



Vicinity Map
scale: N.T.S.

LOCATION INFORMATION

Election District: 7
Councilmanic District: 3
T-200' scale map: NW 27B
Zoning: RC-5
Lot size: 0.62 acreage
26,840 square feet

Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: N/A
SEWER: ☒
WATER: ☒

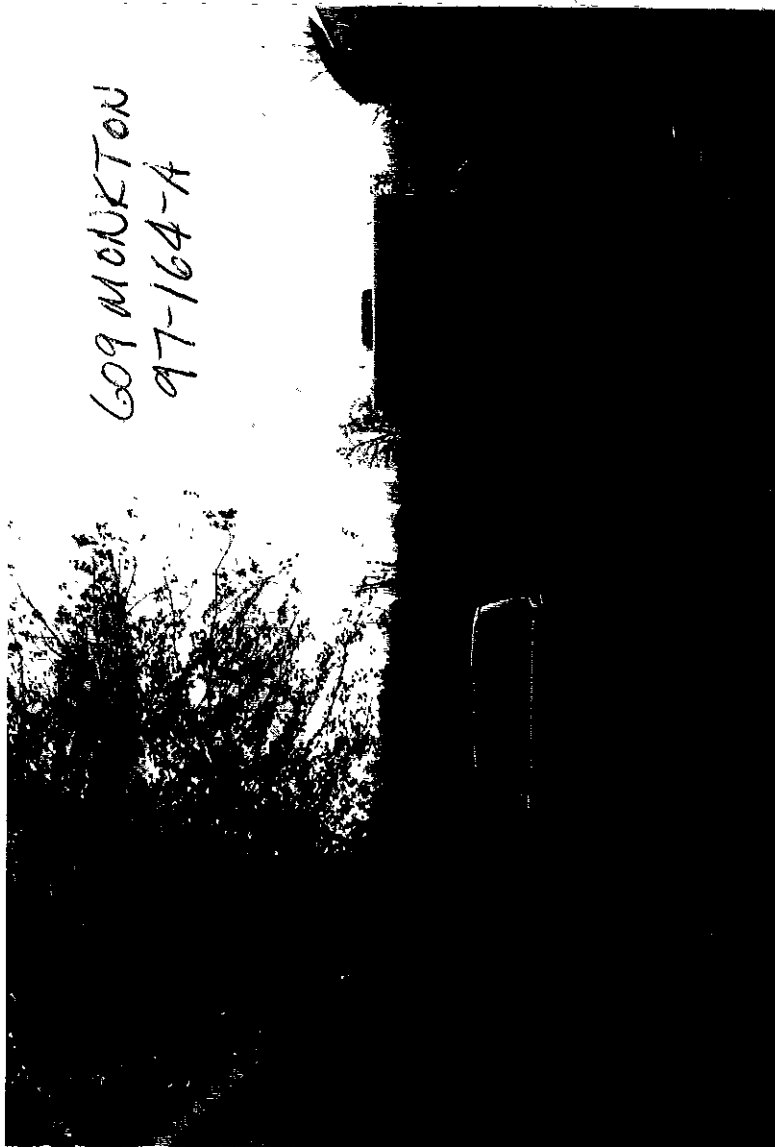
Zoning Office USE ONLY

reviewed by: DW ITEM #: 164
CASE #:

North

date: 10/7/96
prepared by: PATRICK O'KEEFE Scale of Drawing: 1" = 50'
666-5366

609 MCKINLEY
97-164-A



IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S Monkton Road, 540 ft. W * ZONING COMMISSIONER
of c/l Hereford Road * OF BALTIMORE COUNTY
609 Monkton Road *
7th Election District *
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Morris J. McDade, et ux * Case No. 97-164-A
Petitioners *

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The Petitioners propose constructing a garage in the rear yard of the

property. The garage will be 24 ft. in width, 35 ft. in depth and sufficiently set back from the rear and side property lines. The Petitioner has proposed to construct the garage to a height of 20 ft. in lieu of the 15 ft. allowed. It was explained at the hearing that the Petitioners own a mobile home which they utilize for travel and vacations. Mr. and Mrs. McDade are nearing retirement age and wish to construct the garage in order to house the mobile home vehicle. A photograph of the vehicle was submitted at the hearing. Variance relief is requested in order to construct the garage to a sufficient height to house the vehicle.

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until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit, and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. There shall be no commercial or business related activities performed within the structure or on the subject property at any time.

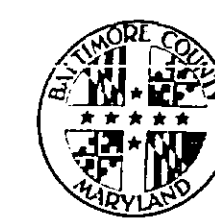
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

L.E.S./mmn

ORDER RECEIVED FOR FILING

Date 11/14/96
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 609 Monkton Rd.
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.3, BCZR to permit an ACCESSORY STRUCTURE WITH A HEIGHT OF 20 FT. IN LIEU OF THE PERMITTED 15 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease

Type or Print Name

Signature

Address

City State Zip Code

Attorney for Petitioner

Type or Print Name

Signature

Address

City State Zip Code

(With do solemnly declare and affirm, under the penalties of perjury, that the above are the facts and circumstances of the property which is the subject of this Petition.)

Legal Owner(s)

Type or Print Name

Signature

Address

City State Zip Code

Attorney for Petitioner

Type or Print Name

Signature

Address

City State Zip Code

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

ALL OTHER

REVIEWED BY C.V. DATE 10-2-96

164

ZONING DESCRIPTION FOR # 609 MONKTON ROAD
(Address)
Election District 7 Councilmanic District 3
Beginning at a point on the SOUTH side of
(north, south, east or west)
MONKTON ROAD which is 60.0 FEET
(number of feet of right-of-way width)
wide at a distance of 540.0 FEET WEST of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street HEREFORD ROAD
(name of street)
which is 50 FEET wide. *Being lot # 6.
(number of feet of right-of-way width)
Block 33, Section 26 in the subdivision of
RUHLE DEVELOPMENT as recorded in Baltimore County Plat
(name of subdivision)
Block 33, Parcel 26, containing
26,840 S.F. OR 0.62 AC.±
(square feet and acres)

BALTIMORE COUNTY, MARYLAND
OFFICE OF REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
164 NO 026368
DATE 11/14/96 ACCOUNT FEES - 15.00
AMOUNT \$ 50.00
RECEIVED FROM Morris J. McDade
FOR 609 Monkton Rd.
014004025341096 \$50.00
VALIDATION OR SIGNATURE OF CASHIER
DATE 11/14/96 TIME 1:00 PM AGENCY YELLEN CUSTOMER JCM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Title No.: 164 Petitioner: MORRIS MCDADE
Location: #609 MONKTON ROAD, MONKTON, MD. 21111

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MORRIS MCDADE
ADDRESS: #609 MONKTON ROAD
MONKTON, MARYLAND 21111
PHONE NUMBER: 410-357-8295

CERTIFICATE OF POSTING

RE: Case No.: 97-164-A

Petitioner/Developer: MORRIS MCDADE ETAL

Date of Hearing/Closing: NOV. 12, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 609 MONKTON ROAD

The sign(s) were posted on OCT. 28, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 11/1/96
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD 21030
(City, State, Zip Code)

446-5366
(Telephone Number)

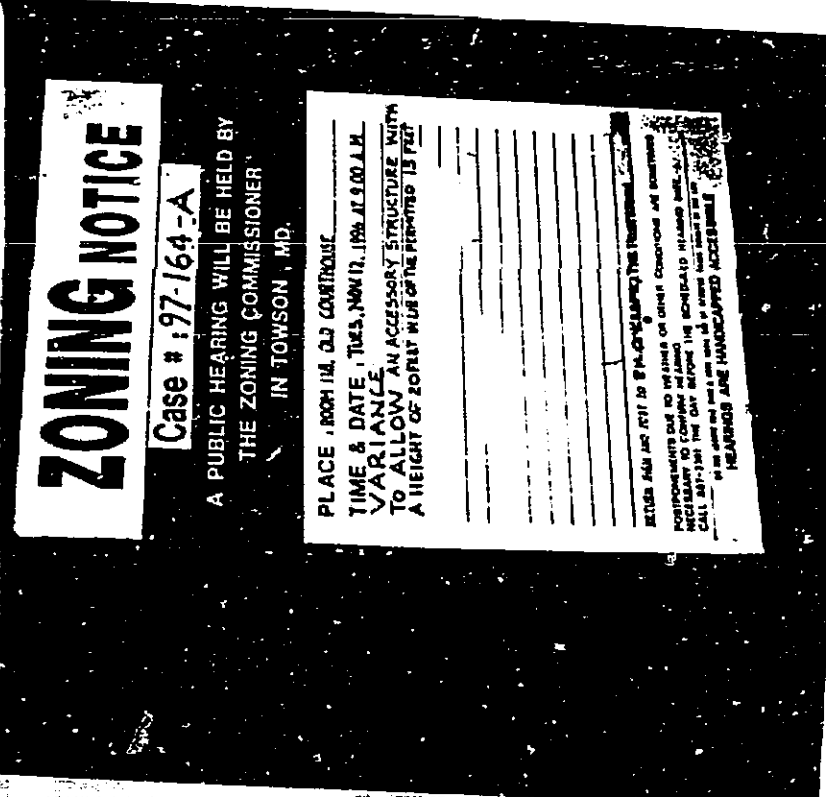


Exhibit B

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing: Black Letters on White Background:

ZONING NOTICE

Case No. _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE:

DATE AND TIME:

REQUEST: TO PERMIT AN ACCESSORY STRUCTURE
WITH A HEIGHT OF 20 FT. IN LIEU OF THE
PERMITTED 15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

9/96
post 4.doc

TO: POTTERY PUBLISHING COMPANY
October 24, 1996 Issue - Jeffersonian

Please forward billing to:

Morris McDade
609 Monkton Road
Monkton, MD 21111
357-6295

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-164-A (Item 164)
609 Monkton Road
S/S Monkton Road, 540' W of c/l Hereford Road
7th Election District - 3rd Councilmanic
Legal Owner(s): Morris J. McDade and E. Carol McDade

Variance to allow an accessory structure with a height of 20 feet in lieu of the permitted 15 feet.

HEARING: TUESDAY, NOVEMBER 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3391.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-164-A (Item 164)
609 Monkton Road
S/S Monkton Road, 540' W of c/l Hereford Road
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Variance to allow an accessory structure with a height of 20 feet in lieu of the permitted 15 feet.

HEARING: TUESDAY, NOVEMBER 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Morris J. McDade
Patrick O'Keefe

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 28, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3391.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Morris McDade
609 Monkton Road
Monkton, MD 21111

RE: Item No.: 164
Case No.: 97-164-A
Petitioner: Morris McDade, et ux

Dear Mr. and Mrs. McDade:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 9, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

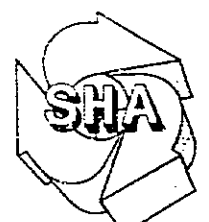
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 164 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-9717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 18, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning recommends that should the petition(s) be granted, a condition should be placed in the Order restricting the conversion of any accessory structure for dwelling purposes.

Item Nos. 139, 164 and 170

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL

ITEM139/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/21/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 21, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 161, 163, 164, 165, 166, 167, 170, 171, 172, 173 and 174.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 25, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 28, 1996
Item Nos. 161, 164, 165, 166, 171,
172, & 174

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE34

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: 10/29/96
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: 10/29/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 161 166 174
162 168
163 169
164 171
165 172

RBS:sp
BRUCEZ/DEPRM/TXTSBB

PETITION PROBLEMS

#161 --- JRE

1. No item number on receipt.
2. Notary section is incomplete.

#164 --- JCM

1. Need printed or typed name of second legal owner.

#165 --- MJK

1. Need someone to sign for first legal owner. Also need authorization for that person to sign.

#167 --- JRA

1. Folder has paperwork for undersized lot - Petition says nothing about an undersized lot.
2. Notary section is incorrect.

#168 --- JRA

1. Special Exception is on wrong form - This is a Special Hearing form, not Special Exception (see top paragraph of the form).
2. Need authorization for person to sign for legal owner.

#171 --- CAM

1. Need address and telephone number for legal owner.

#174 --- JRE

1. No item number on receipt.

10/15/96

RE: PETITION FOR VARIANCE
609 Monkton Road, S/S Monkton Road,
540' W of c/l Hereford Road
7th Election District, 3rd Councilmanic
Morris and Carol McHade
Petitioners
* * * * *
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-164-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Charles S. Demilio
CHARLES S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Patrick O'Keefe, 523 Penny Lane, Cockeysville, MD 21030, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

97-164-A
Home Address
Patrick O'Keefe
469 MONKTON RD. MONKTON, 21111
21205 Ridge Rd. Towson, MD 21204
523 PENNY LA. 21030

